

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

249C0300

## HOUSE BILL NO. 1167

Introduced by: Representatives Brown (Richard), Brown (Jarvis), Lucas, and Solum and  
Senators Brown (Arnold), Lange, and Lawler

1 FOR AN ACT ENTITLED, An Act to increase the tax on cigarettes and other tobacco  
2 products.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 10-50-3 be amended to read as follows:

5 10-50-3. A tax is imposed, whether or not a sale occurs, at the following rates on all  
6 cigarettes held in this state for sale by any person:

7 Class A, on cigarettes weighing not more than three pounds per thousand, ~~sixteen~~ twenty-  
8 one and one-half mills on each cigarette.

9 Class B, on cigarettes weighing more than three pounds per thousand, ~~sixteen~~ twenty-one  
10 and eight-tenths mills on each cigarette.

11 Section 2. That § 10-50-61 be amended to read as follows:

12 10-50-61. In addition to the tax imposed by § 10-50-3, there is imposed, whether or not a  
13 sale occurs, a tax upon all tobacco products in this state and upon any person engaged in  
14 business as a licensed distributor or licensed wholesaler thereof, at the rate of ~~ten~~ twenty percent  
15 of the wholesale purchase price of such tobacco products. Such tax shall be imposed at the time  
16 the distributor or wholesaler brings or causes to be brought into this state tobacco products for

1 sale; makes, manufactures, or fabricates tobacco products in this state for sale in this state; or  
2 ships or transports tobacco products to dealers in this state to be sold by those dealers. For the  
3 purposes of this chapter, wholesale purchase price is the price for which a manufacturer sells  
4 tobacco products to a licensed distributor or licensed wholesaler exclusive of any discount or  
5 other reduction.